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10/661,140

09/12/2003

Jeffrey George

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08/04/2006

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EXAMINER

KARKHANIS, AASHISH

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 08/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/661,140

Applicant(s)

GEORGE ET AL.

Examiner

Aashish Karkhanis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-67 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 - 17, 24 - 48 and 56 - 67 are rejected under 35 U.S.C. 102(b) as being anticipated by Sarno (U.S. Patent 6,024,641).

Regarding Claims 1 and 33, Sarno discloses a remote system for use with a gaming system for establishing attendance of a player at an event (col. 5, lins. 30 – 45; where a player's attendance is established at an online gaming event through a logon process) including a remote device for receiving player identification information input by a user in response to the player being in attendance at the event (col. 4, lins. 5 – 10; where a provider computer has a network connection and a hypertext logon system for display on a user computer) and a host computer coupled to the remote device through a remote network interface (col. 3, lins. 58 – 62) for receiving the identification information from the remote device, and storing the player's attendance in a database located at the host computer (col. 3, lins. 65 – 67; col. 7, lins. 18 – 27; where player data is recorded and stored on a database on a server computer).

Regarding Claims 2 – 5 and 34 – 37, Sarno discloses a remote wireless system where the wireless connection is an IEEE 802.11 standard of IEEE 802.11b or IEEE

802.11g (col. 4, lins. 44 – 47; where an IEEE 802.11 standard and its sub-standards are all specific and inherent embodiments of generic wireless connection methods).

Regarding Claims 6 – 13 and 38 – 44, Sarno discloses a remote system including a processor (col. 4, lin. 11) and web client for interaction with the user, formatting and presenting data to the user (col. 6, lins. 21 – 22), and sending an attendance form accessible through the web client for accepting identification information to a user fillable form with identification information by the user including an identification card number (col. 7, lins. 18 – 32; where a user inputs information into a web client attendance form to register and begin play of a game, and where a credit card number may be used as an identification card number) and determines whether the identification information is valid (col. 5, lins. 41 – 44).

Regarding Claims 14 – 17 and 45 – 48, Sarno discloses a remote network interface for sending gaming machine information to a database for storing as a function of the identification information if the identification information is valid (col. 3, lins. 65 – 67; col. 7, lins. 18 – 27; where player data is recorded and stored on a database on a server computer as a function of entered player data), including a card reader connected to the remote device for reading an identification card number from a player identification card, where a device identification number is associated with the gaming machine if the identification information is valid, where player attendance information is retrieved from the database as a function of the device identification number, where player identification information is associated with the player playing the game (col. 7, lins. 18 – 32; where a user inputs information into a web client attendance form to

register and begin play of a game, and where a credit card number may be used as an identification card number, and only the player associated with an identification card number may be allowed to play through the process of logon), and where the remote network interface is coupled to the database for retrieving and storing data (col. 3, lins. 58 – 62).

Regarding Claims 24 – 27 and 56 – 58, Sarno discloses a remote device including a processor (col. 4, lin. 11) and a web client for interaction with a user (col. 6, lins. 21 – 22) and an interface for formatting responsive data into a hyper text mark-up language response for display by the web client (col. 4, lin. 8), including a plurality of servlets (col. 7, lins. 5 – 16; where different games, areas, and functions of a web site may be implemented as servlets served to a client computer), a login layer (col. 5, lin. 34), and a menu layer (col. 7. lins. 6 – 9).

Regarding Claims 28 – 32 and 59 – 65; Sarno discloses a remote system where a user has an assigned type working with a menu layer for allowing and restricting access to servlets as a function of the assigned type (col. 5, lins. 41 – 44; where a user account is of a valid or invalid type, and access to game system servets is restricted based on validity of an account), a player name, a player identifier (col. 7, lins. 23 – 27; where a card number is a player identifier), a gaming machine identifier (col. 3, ln. 45; where a computer connected to the World Wide Web has an Internet Protocol address identifier), including a remote device to display the player attendance information (col. 5, lns. 30 – 35; where a home page is used to display information to a player) display an error message if the information is invalid, and retrieve player information if the

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identification card number is valid (col. 5, lins. 41 – 44; where a player is granted access to a gaming system if information is invalid and inherently shown an error message if a login attempt fails as is well known in the art).

Regarding Claims 66 – 67, Sarno discloses a remote device which is a handheld device for carrying by a user (col. 4, lins. 18 – 19; where a personal digital assistant is a handheld device).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 18 – 24 and 49 – 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sarno in view of Ramakrishnan (Database Management Systems. 1998, McGraw Hill. ISBN 0-07-050775-9).

Regarding Claims 18 – 23 and 49 – 54, Sarno discloses a remote system for storing and retrieving data and a third object is coupled to the remote network interface for receiving queries from the interface, retrieving, formatting, and returning responsive data from the database to the remote device (col. 3, lins. 65 – 67; where an interface between storage and a network is provided to make a host computer's data accessible to clients). Sarno does not disclose a specific type of data storage including a database consisting of tables with first data objects coupled to the database tables or a second data objects for assembling first data objects. However, Ramakrishnan teaches a

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database for storing data in database tables (p. 21, para. 2) with a plurality of first data objects coupled to the database tables for retrieving and storing data in the database tables (p. 22, para. 2; where relations such as data types are formed within tables), at least one second data object coupled to the first data objects for assembling multiple first data objects into a third data object (p. 21, para. 2; where a second object is a database collecting all tables of a database). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the generic network based storage device as disclosed by Sarno with the specific table and database related storage system as taught by Ramakrishnan in order to provide a more organized and efficient method of accessing and manipulating data.

Regarding Claims 24 and 55, Sarno discloses a remote device including a processor (col. 4, lin. 11) and a web client for interaction with a user, and a remote interface for formatting the responsive data into a hyper text mark-up language response for display by the web client (col. 6, lins. 21 – 22).

Response to Arguments

3. Applicant's arguments have been fully considered but they are not persuasive.

Applicant maintains that the claimed invention distinguishes over the prior art because Sarno does not disclose the use of a player system specifically designed for attendance at an event. Examiner respectfully disagrees. Regarding player attendance, the only difference between the system of Sarno and the claimed invention is the extent of the network claimed. The network of Sarno uses web based communication and Internet protocols (col. 4, lins. 32 – 40), as does the claimed invention, but the claimed

invention extends play only to a particular physical area such as a room or gaming floor, while allowing remote user signup/registration (para. 0092 – 0096). The system of Sarno has no such limitations, and can has a larger scope than the claimed invention because players may attend over both a small area such as disclosed by the applicant, but may also attend an event across a much wider area, including over the Internet (col. 4, lins. 44 – 47; where both using the Internet as a network and using a local network as claimed by applicant is disclosed). The invention of Sarno is capable of extending to a very wide area network and well as a smaller, more localized network while using the same protocols and systems in a local area network, as is claimed by the applicant. This means that attendance as described by Sarno means simply being part of a game, without relying on any specific position or location of a player. A player may attend a game in the system of Sarno simply by logging into a game system which may be local to other players, as claimed by the applicant, or remote from other players, both methods which are disclosed by Sarno (col. 4, lins. 44 – 47).

For the reasons given above, claims 1 – 67 stand rejected.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aashish Karkhanis whose telephone number is (571) 272-2774. The examiner can normally be reached on 0800-1630 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ARK


JOHN M. HOTELLING, II
PRIMARY EXAMINER